



# TRANSMITTAL FORM

Application Serial Number 10/040,278  
Filing Date October 24, 2001  
First Named Inventor Colton et al.  
Group Art Unit Not yet assigned  
Examiner Name Not yet assigned  
Attorney Docket No. MIT-097CN  
Patent No. Not applicable  
Issue Date Not applicable

RECEIVED

MAY 03 2002

Technology Center 2600

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts <input checked="" type="checkbox"/> Transmittal of Formal Drawings
---	---	--

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,

Date: March 29, 2002  
Reg. No. 44,244  
Tel. No.: (617) 248-7044  
Fax No.: (617) 248-7100

*Ronda P. Moore, D.V.M.*  
Ronda P. Moore, D.V.M.  
Attorney for Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

**FEE TRANSMITTAL**  
**FY 2002**

*Complete if Known*

Application Serial Number	10/040,278
Filing Date	October 24, 2001
First Named Inventor	Colton et al.
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	MIT-097CN

**RECEIVED**

MAY 03 2002

Technology Center 2600

**METHOD OF PAYMENT**

Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.

☐ Required Fees (copy of this sheet enclosed).

☒ Additional fee required under 37 CFR 1.16 and 1.17.

☒ Overpayment Credit.

3. ☐ Applicant claims small entity status.

**FEE CALCULATION**
**1. FILING FEE**
**Large Entity**

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	740.00
330	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
--	--------------	--------------	------	--------

Total Claims 27 - 20 = 7 x \$ 18.00 = 126 00

Independent Claims 2 - 3 = 0 x \$ 84.00 = 00.00

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL: 866.00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 866.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
-------------------------------	---------------------------------	---------------	------	----------

Total - = x \$ 18 00 =

Indep. - = x \$ 84.00 =

☐ First Presentation of Multiple Dep. Claim + \$280.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 00.00

**FEE CALCULATION (continued)**
**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 130.00

SUBTOTAL (1) 866.00

SUBTOTAL (2) 00.00

SUBTOTAL (3) 130.00

TOTAL (\$) 966.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Respectfully submitted,

Ronda P. Moore, D.V.M.  
Ronda P. Moore, D.V.M.  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110

Date: March 29, 2002  
Reg. No.: 44,244  
Tel. No.: (617) 248-7044  
Fax No.: (617) 248-7100



PATENT  
Attorney Docket No. MIT-097CN  
(5473/104)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Colton et al.  
SERIAL NO.: 10/040,278 GROUP NO.: Not yet assigned  
FILING DATE: October 24, 2001 EXAMINER: Not yet assigned  
TITLE: METHOD AND APPARATUS FOR DELIVERING OXYGEN TO CELLS

RECEIVED  
MAY 03 2002  
Technology Center 2600

## RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed February 12, 2002 for the above-referenced patent application, enclosed herewith is a check in the amount of \$966.00 to cover the filing fees and surcharge fee. Also enclosed are 11 sheets of formal drawings corresponding to FIGS. 1-9, 10A-10B and 11.

Please charge Deposit Account No. 20-0531 for any additional fees that may be due in this matter.

Respectfully submitted,

Date: March 29, 2002  
Reg. No. 44,244

Tel. No. (617) 248-7044  
Fax: (617) 248-7100

2327822

Ronda P. Moore, D.V.M.  
Ronda P. Moore, D.V.M.  
Attorney for Applicants  
Testa, Hurwitz, & Thibault  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



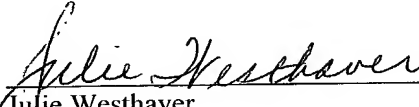
PATENT  
Attorney Docket No. MIT-097CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Colton et al.  
SERIAL NO.: 10/040,278 GROUP NO.: Not yet assigned  
FILING DATE: October 24, 2001 EXAMINER: Not yet assigned  
TITLE: METHOD AND APPARATUS FOR DELIVERING OXYGEN TO CELLS

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on this 29th day of March, 2002.

  
Julie Westhaver

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

RECEIVED

MAY 03 2002

Technology Center 2600

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Response to Notice to File Missing Parts (1 pg.); Copy of Notice to File Missing Parts (2 pgs.); Transmittal of Formal Drawings (1 pg.); 11 Sheets of Formal Drawings Corresponding to FIGS. 1-9, 10A-10B and 11; Check in the Amount of \$966.00; and postcard.

# 3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,278	10/24/2001	Clark K. Colton	MIT-097CN

021323

TESTA, HURWITZ & THIBEAULT, LLP  
HIGH STREET TOWER  
125 HIGH STREET  
BOSTON, MA 02110



CONFIRMATION NO. 9671

## FORMALITIES LETTER



\*OC00000007462631\*

Date Mailed: 02/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/11/2002 NBERHE 00000091 10040278

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	126.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$126.
  - \$126 for 7 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 996.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment.

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)) Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm (1 inch), a right side margin of at least 1.5 cm (5/8 inch), and a bottom margin of at least 1.0 cm (3/8 inch),


A copy of this notice **MUST** be returned with the reply.

RECEIVED

MAY 03 2002

Technology Center 2600

20040273 041002

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



10040278 .041002

PATENT  
Attorney Docket No. MIT-097CN  
(5473/104)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Colton et al.  
SERIAL NO.: 10/040,278 GROUP NO.: Not yet assigned  
FILING DATE: October 24, 2001 EXAMINER: Not yet assigned  
TITLE: METHOD AND APPARATUS FOR DELIVERING OXYGEN TO  
CELLS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

RECEIVED

MAY 03 2002

Technology Center 2600

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Responsive to the Notice to File Missing Parts mailed from the U.S. Patent Office on February 12, 2002, enclosed please find 11 sheets of formal drawings corresponding to FIGS. 1-9, 10A-10B and 11 for the above-referenced patent application.

Respectfully submitted,

Date: March 29, 2002  
Reg. No. 44,244

Tel. No.: (617) 248-7044  
Fax No.: (617) 248-7100

Ronda P. Moore, D.V.M.  
Ronda P. Moore, D.V.M.  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110